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Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

Report of the Advisory Committee on Administrative and Budgetary Questions

1. The Advisory Committee on Administrative and Budgetary Questions has considered the reports of the Secretary-General on the financial performance of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 for the period from 1 January to 31 December 2000 (A/56/500) and on the proposed budget for the Tribunal for the biennium 2002-2003 (A/56/497 and Add.1). During its consideration of the reports, the Advisory Committee met with the Registrar and the Acting Policy Coordinator in the Office of the Prosecutor, as well as with other representatives of the Tribunal and of the Secretary-General, who provided additional information.

Financial performance report for the period from 1 January to 31 December 2000

2. As indicated in the table in section II of the financial performance report (A/56/500), a total of $86,154,900 gross ($78,170,200 net) was appropriated by the General Assembly for the Tribunal for the period from 1 January to 31 December 2000. The

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recorded expenditure for the period amounted to $83,144,800 gross ($75,817,300 net), leaving an unencumbered balance of $3,010,100 gross ($2,352,900 net).

3. **With regard to the presentation of the financial performance report, the Advisory Committee requests that the reports be restructured in future. The format and content of the report should follow those of the budget estimates for the Tribunal and should include programme performance information. The summary table should be accompanied by tables on appropriation and expenditure for each of the three organs of the Tribunal by object of expenditure. In addition, the report should indicate performance in terms of the benchmarks used to estimate requirements. For example, where work-months and number of missions are used as the basis for estimating resource requirements under non-staff and travel costs, the performance report should indicate performance in work-months and number of missions. In view of the fact that the budget is now submitted biennially, the financial and programme performance report should be submitted annually.**

4. The Advisory Committee notes the decrease of $5,106,300, or 9.36 per cent, in relation to the appropriation of $54,554,900 under posts, reflecting the high vacancy rate experienced by the Tribunal during the period. As indicated in paragraph 2 of the report, the vacancy factors used in the budget estimates were 19 per cent for Professional staff and 13 per cent for General Service and related categories of staff for continuing posts, and 60 per cent and 50 per cent respectively for new posts. The actual average vacancy rates for the period were 22.5 per cent for Professional staff and 13.3 per cent for General Service staff. The Advisory Committee exchanged views on this issue with the Registrar, who indicated that innovative measures were needed to attract and retain staff. Upon request, the Committee was provided with additional information concerning incentives that were under consideration (see para. 17 below).

5. The performance indicators contained in the annex to the financial performance report indicate significant underperformance in relation to projections in a number of work areas of the Tribunal. In the Office of the Prosecutor, for example, of the four trials expected to be completed in 2000, only two were completed. Of the 20 projected arrests, 5 were carried out. In the Witnesses and Victims Support Section, considerable underperformance is evident in nearly every area. For example, of the total projected workload of 3,367 tasks, only 1,406, or 41.8 per cent, were completed.

6. The performance situation has improved, however. Upon request, the Advisory Committee was provided with an update of annex IV to the budget estimates for the Tribunal for the biennium 2002-2003 (A/56/497/Add.1) showing estimated and actual workload completed for 2001 as at 31 October 2001. According to the update, 68 per cent of the projected workload of the Witnesses and Victims Support Section for both the prosecution and the defence for 2001 had been completed as at 31 October, the bulk of it for the prosecution. The Committee also notes from the update that 58 per cent of the projected workload of the Office of the Prosecutor for 2001 had been completed as at 31 October. In this connection, the Committee notes, as indicated in the budget estimates, that the pace of work of the Tribunal has accelerated and the number of accused on trial has increased in 2001 to a total of 17 (A/56/497, para. 6). The Committee has taken some of these performance results into account in formulating its recommendations in the paragraphs below.

7. The financial performance report shows an overexpenditure of $3,849,400 in relation to the appropriation of $7,400,000 under contractual services (A/56/500, para. 8), including defence counsel costs of $2,070,100 for fee claims for 1999 and $827,200 for partial payments for 2000. Upon enquiry, the Advisory Committee was informed that the overexpenditure for defence counsel costs was due largely to poor monitoring and claims processing and that the projected expenditure for 2001 for such costs as at 30 September 2001 amounted to $7,256,400.

Proposed budget for the biennium 2002-2003

8. Paragraphs 1 to 18 of the report on the budget estimates of the Tribunal for the biennium 2002-2003 (A/56/497) describe the developments that have affected the operation of the Tribunal. Chief among these is the accelerated pace of trials (ibid., paras. 5-6). The Advisory Committee welcomes this development.

9. The Advisory Committee was provided with information and statistics as at 21 November 2001 on

the completion of eight trials since 1997 involving nine accused persons. One case was withdrawn and is subject to a hearing by the Appeals Chamber; seven of the convicted lodged appeals, five of which have been settled by the Appeals Chamber and two of which are pending; and there was one acquittal of an accused person in 2001 that is currently before the Appeals Chamber. As stated above, there are at present 7 ongoing trials involving 17 accused persons. In addition, approximately 9 cases involving 27 indicted persons are in the pre-trial stage. Twenty-one arrest warrants have been issued against accused persons who remain at large.

10. The Advisory Committee welcomes the fact that a management review of the Tribunal has been undertaken by the Department of Management (see A/56/497, para. 16). Upon enquiry, the Committee was informed that a number of the recommendations resulting from the review had already been implemented and that resources to implement others had been included in the estimates. The Committee requested details concerning the resources included in the estimates for that purpose (see annex I).

11. The Advisory Committee notes that the Tribunal has implemented a number of measures intended to control and monitor more closely the legal aid regime and defence counsel costs (see ibid., paras. 15-16). However, in the opinion of the Committee, the results of the implementation of these measures are not as yet apparent (see also para. 44 below).

12. The important question of long-term planning for the enforcement of sentences, which was highlighted by the Advisory Committee in its report to the General Assembly at its fifty-fifth session (A/55/643, para. 63), is still pending. The Committee had requested that a report on that issue be submitted to the General Assembly; the Assembly endorsed the request in paragraph 9 of its resolution 55/226 of 23 December 2000. The Committee understands that the Secretary-General will submit the report to the Assembly in the spring of 2002. **The Committee reiterates its concern on this issue and regrets the delay in submission of the report.** In connection with the enforcement of sentences, the Committee was informed that, following a ruling by the Office of Legal Affairs, the $250,000 appropriated for this purpose for 2001 had not been fully utilized (see paras. 47-49 below).

13. The overall level of resources proposed for the Tribunal for the biennium 2002-2003 (in its first biennial submission) amounts to $204,407,900 gross ($186,998,500 net), reflecting an increase before recosting of $24,278,200 gross ($23,025,100 net), or 13.4 per cent, over the 2000-2001 appropriation. After recosting, the estimate is $198,523,800 gross ($179,015,300 net), reflecting the impact of provision for inflation of $26,690,500, which is offset by the combined impact of reductions due to favourable exchange rates ($29,621,900), salary standard cost changes ($2,952,700) and increased income from staff assessment ($2,099,100) (A/56/497, para. 19, and A/56/497/Add.1, annex I).

14. Extrabudgetary resources projected for the period amount to $3,079,900 (A/56/497, table 3). The Advisory Committee notes that only two Member States had contributed or pledged to contribute to the Voluntary Fund for the Tribunal in 1999 and 2000 (see A/56/497/Add.1, annex VII, para. 3). The Committee was informed that fund-raising efforts were being intensified. Upon enquiry, representatives of the Tribunal informed the Committee that some extrabudgetary funds were tied; an amount of $200,000 was cited as having been earmarked by a donor for investigation.

15. The proposed staffing table for the biennium 2002-2003 comprises 973 posts, reflecting an increase of 101 posts (6 for the Office of the Prosecutor and 95 for the Registry), 6 of which are to be converted from general temporary assistance funds. Of the 95 new posts proposed for the Registry, 60 are for judicial support and 35 are for administrative support and language services. In addition, five reclassifications are proposed (4 upward and 1 downward).

16. The Advisory Committee notes that high vacancy rates continue to plague the Tribunal (ibid., annex III). Vacancy rates in the Professional category ranged from 27.8 per cent to 20.3 per cent for the months of January to October 2001. In the General Service and related categories, the rate ranged from 16.4 to 10.3 per cent. **The Committee reiterates its view that it is not possible to accurately determine requirements for additional personnel in the Tribunal until vacancies are considerably reduced (see A/54/646, paras. 22 and 55).** The Committee notes that in the estimates for 2002-2003, vacancy factors of 20 per cent and 10 per cent respectively were used for Professional and General Service staff, with the proviso that should the

efforts being made by the Tribunal result in a higher rate of post encumbrance, the General Assembly would be informed accordingly (see A/56/497, para. 69). **The Committee agrees with this procedure.**

17. On the recommendation of the Advisory Committee (A/55/643, para. 18), the Tribunal has instituted two-year contracts for staff members. The Committee notes that while this has, as yet, had little effect on the vacancy situation, it has improved planning and enhanced the efficiency of human resources management (see A/56/497, para. 17). The Committee was briefed on a number of initiatives to improve conditions of service. It was informed, however, that no decision had been taken on them. **The Committee observes that any such initiative should be considered within the framework of the salaries and allowances in the United Nations common system, and urges neighbouring United Nations headquarters to offer any assistance possible.**

18. The Advisory Committee recalls that, in the context of its consideration of the proposed budget for the Tribunal for 2001, it was informed that the nature of investigation had changed; all targets had been identified, and the priority was the investigation of fact and the indictment, tracking and arrest of suspects. The Committee understands that the functions of the Kigali office are now mainly concerned with tracking. **Accordingly, the Committee had expected a clearer indication in the budget estimates of the results of a rigorous review of the administrative and support services and related expenditures of the Kigali office, as well as an indication as to whether the proposals for the transfer of posts involving Kigali were the result of the review. The Committee requests that such information be included in the next budget estimates.**

19. The separate request for ad litem judges, mentioned in paragraph 6 of the report, if approved, will affect the estimates. Upon enquiry, the Advisory Committee was informed that the matter was currently before the Security Council and that a decision was expected some time in December. The Committee will take up any requests for additional resources after the Council has taken a decision on the question.

20. The Advisory Committee notes that the Prosecutor has not set a target date for the conclusion of first instance trials, as she has done for the International Tribunal for the Former Yugoslavia. It is clear, however, that if the last indictments are to be presented at the end of 2005, as projected by the Prosecutor (see para. 27 below), the related arrests and trials would take some time beyond that date. Upon enquiry, the Committee was informed that after arrest the average period of detention before an accused was brought to trial was 2 years, 9 months, and that the average trial length was 12 to 18 months. The Committee was also informed that the average length of trials in the International Tribunal for the Former Yugoslavia was 12 months.

21. **On the basis of testimony and information provided, it is the view of the Advisory Committee that there does not appear to be a firm, realistically achievable exit strategy for the completion of the work of the Tribunal. In this connection, the Committee recalls its report on the International Tribunal for the Former Yugoslavia to the General Assembly at its fifty-fifth session, in which it commented that a realistic assessment should be made of the steps and measures needed to meet stated goals and, further, that it was difficult to focus on a specific date to complete the mandate of the Tribunal until it was known when investigations would be completed and what the final number of detainees awaiting trial would be (see A/55/642, para. 12).**

The Chambers

22. **The Advisory Committee requests that, in future, the section of the budget report dealing with the Chambers contain information similar to that of the report of the International Tribunal for the Former Yugoslavia (see A/56/495, para. 13).**

23. The Advisory Committee enquired about courtroom usage, as well as about travel and extrajudicial activities that required judges to be away from Arusha. With regard to travel, the Committee recalls its comment in its report to the General Assembly at its fifty-fifth session that the frequent absence of judges affects the speedy commencement or completion of trials in which the travelling judges are involved and its view that judicial activities, particularly those of the President, should take precedence over public relations activities and attendance at external meetings (see A/55/643, para. 27). **The information provided to the Committee indicated that judges now spend much more time in**

Arusha than previously. The Committee welcomes this development (see also para. 24 below).

24. With respect to courtroom usage, the Advisory Committee notes that 442 courtroom days were projected for 2000, of which 237 were realized (see A/56/500, annex). For 2001, the projection was for 450 courtroom days, 286 of which had been realized as at 6 November, according to information provided to the Committee. The estimate for 2002-2003 is for 1,300 days, or 650 days per year. **The Committee considers the courtroom usage to be somewhat low and trusts that as the pace of trials and other judicial activities increases, the level of productivity will also rise. In this regard, the Committee welcomes the information that, in the courtroom, the judges now work for longer hours and that their court workweek has been increased from four days to five. The Committee requests that similar information be provided for the International Tribunal for the Former Yugoslavia.**

25. With regard to the use of the "twin-tracking" method to schedule two or three trials in each of the three chambers, the Advisory Committee points out that this practice means that a large number of defence and prosecution personnel is required to be available to be called in chambers at all times. If all three chambers operate simultaneously, the logistical problems and expenditures could be quite considerable, and if scheduling is not done effectively, the attempt to save time may instead lead to further delays and additional costs. **The Committee requests that a review be made of the twin-tracking method of scheduling multiple trials in each of the three chambers with a view to ascertaining whether the method is indeed cost-effective.**

Office of the Prosecutor

26. The estimate for the Office of the Prosecutor for the biennium 2002-2003 amounts to $49,824,000 gross ($44,202,000 net) before recosting, reflecting an increase of $3,185,400 gross ($2,994,900 net), or 6.8 per cent, over the appropriation for 2000-2001. The estimates include a request for six additional Local level posts in Kigali for language assistants, the redeployment from Kigali to Arusha of two P-4 legal advisers and four Professional and five General Service staff in the Information and Evidence Support Section and the reclassification of the Commander of the Investigations Division from P-4 to P-5 (A/56/497/Add.1, annex IV, paras. 8-10 and 16-18). **The Advisory Committee found the presentation of the estimates and objectives for this Office to be clearly formulated.**

27. The Advisory Committee notes from the information before it that the Office of the Prosecutor plans to undertake and complete up to 136 new investigations and related indictments by the end of 2005 as follows: 29 by the end of 2001, 30 each for the years 2002 to 2004 and 17 in 2005 (see A/56/351-S/2001/863 and Corr.1, para. 120). The Committee notes that the Prosecutor's strategy is to complete all new investigations by the end of 2004 and to present the last indictments by the end of 2005 (see A/56/497, para. 35). To accomplish that goal, the Tribunal would need to resort to the use of ad litem judges. The strategy involves six trials running concurrently to be twin-tracked in each of the three trial chambers. In this connection, the Committee points out that it cannot be known how many indictments or trials will result from the new investigations; however, the Committee notes the estimate of up to 55 indictments and 20 arrests for the biennium (see A/56/497, para. 41 (a)). The Committee was informed that of the seven trials currently under way, four were to be completed in 2002 and three in 2003.

28. The Advisory Committee was informed that as at 31 October, 35 posts in the Office of the Prosecutor were vacant, including one D-2 and one D-1. The Committee notes that the D-2 post is that of the Deputy Prosecutor in Kigali and the D-1 post is that of the Chief of Prosecution in Arusha. The Committee understands that these two important posts have been vacant for quite awhile — more than a year for the Chief of Prosecution and since May for the Deputy Prosecutor. At present, there is no indication as to when those posts will be filled. The Committee understands that for the time being the Office of the Prosecutor in Kigali is represented by the resident Chief of Investigations.

29. **The Advisory Committee is very concerned about the impact this situation has on the effectiveness of the prosecutorial and investigative activities of the Tribunal. The situation not only stalls the full implementation of the vital work of the Office of the Prosecutor, it also leads to costly expenditures by the Prosecutor and accompanying staff for travel to and from Arusha, Kigali and The**

Hague. The Committee is of the view that immediate steps should be taken, with the assistance of Headquarters, to fill those positions without further delay. Furthermore, in order to ensure the rapid filling of posts, flexibility should be granted in implementing recruitment procedures, particularly as regards the length of time for which vacancies must be posted. The Committee points out that the longer the high rate of vacancies persists in the Tribunal, the greater the potential for larger future expenditures by Member States due to the longer period of time that the Tribunal would take to complete investigations and carry out subsequent trials.

30. The Advisory Committee recalls that, in the budget estimates for the Tribunal for 2001, the Secretary-General had proposed a new Prosecution Appeals Section in Arusha (see A/55/512 and Corr.1, annex II, paras. 25 and 26). Four posts (1 P-5, 1 P-4, 1 P-2 and 1 Local level) were approved by the General Assembly for the Section. The P-5 post for the senior appeals attorney was transferred from The Hague. The reason given for establishing the Section in Arusha was that it was envisaged that the majority of the Tribunal's appeal cases would be heard in Arusha and that the repository of Tribunal trial documents would be located in Arusha (ibid., para. 25). Upon enquiry, the Committee was informed that the posts were still vacant but were under recruitment, and that the Prosecutor was proposing the redeployment of all except the P-2 post and the Local level post to The Hague, although there is no mention of the proposed redeployments in the budget. No reason was given for this proposal. **The Committee has serious reservations about what appears to be an arbitrary decision that may adversely affect the operations of the Office of the Prosecutor in Arusha. In the opinion of the Committee, these posts should remain in Arusha, as approved by the General Assembly.**

31. Six new posts for language assistants are proposed (A/56/497, annex IV, para. 18). Upon enquiry, the Advisory Committee was informed that this function was being carried out under general temporary assistance and that the proposal was to convert the positions to regular posts. There is a corresponding reduction of $500,000 under other staff costs (A/56/497, para. 54 (a)). **The Committee recommends acceptance of the request for six new General Service (Local level) posts for language assistants.**

32. **The Advisory Committee recommends against the reclassification of the P-4 post of investigator to a P-5 post for a commander to coordinate, among other things, activities related to requests for new investigations, requests for sketch maps, visits to crime scenes and background checks on defence and prosecution witnesses. The Committee is of the view that an individual at the P-4 level or lower could coordinate those activities.**

33. An amount of $525,800 is requested for the Office of the Prosecutor under consultants and experts, an increase of $136,900 over the appropriation for 2000-2001 (A/56/497, para. 43). The Advisory Committee was informed that of the $195,100 appropriated for consultants and experts for 2001, $75,165 had been spent as at 30 September 2001. As indicated in the performance report for 2000, there was an underexpenditure of $249,200 under consultants and experts for the Tribunal as a whole resulting from the lower than anticipated number of expert witnesses used by both the prosecution and the defence and the use of only four out of the five consultants provided for in the budget (A/56/500, para. 5). For 2002-2003, the estimate for the Office of the Prosecutor is based on a projection of 3 expert witnesses per trial in 2002 and 2 per trial in 2003, for a total of 30 expert prosecution witnesses. **In view of the past expenditure trends under this item, the Committee recommends the appropriation of $400,000 for consultants and experts for the Office of the Prosecutor.**

34. The estimate for travel for the Office of the Prosecutor amounts to $3,310,000, reflecting an increase of $1,482,600 as compared with the appropriation for 2000-2001. Resources are requested for travel in relation to investigations ($1,300,000) and of tracking teams ($900,000) and travel of the Prosecutor, Deputy Prosecutor, trial teams, appeals counsel and other staff of the Office of the Prosecutor ($1,110,000) (A/56/497, para. 44). For 2001, the requests were $312,900 for investigations, $299,500 for tracking teams and $326,300 for the Office of the Prosecutor. Upon enquiry, the Committee was informed that as at 31 October 2001, $315,449 had been spent for travel for investigations, $280,254 for tracking teams and $333,071 for the Office of the Prosecutor. **Under the circumstances, the Committee**

recommends the appropriation of a total of $3 million under travel for the Office of the Prosecutor.

35. An amount of $900,000 is proposed for general operating expenses for the Office of the Prosecutor to cover the operational expenses of the Intelligence Tracking Unit, which is carrying out inquiries, through agents, sources and contacts, relating to 91investigation targets, 34 of whom are believed to be in Africa, 25 in Europe and the balance in unknown locations (ibid., paras. 44 (b) and 45). For 2001, the projection for general operating expenses was $388,000. The Advisory Committee was informed that as at 31 October $174,073 had been spent. **The Committee requests that information on the effectiveness of missions and the overall performance of the Intelligence Tracking Unit be included in future performance reports and estimates. The Committee recommends acceptance of the request for general operating expenses.**

The Registry

36. The estimate for the Registry for 2002-2003 totals $150,052,500 gross ($138,265,100 net) before recosting, an increase of $20,449,900 gross ($19,387,300 net), or 15.7 per cent, over the 2000-2001 appropriation of $129,602,600 gross ($118,877,800 net) (ibid., table 9). The requested resources would provide for 757 posts, including 20 new Professional posts and 75 new posts in the General Service and related categories (ibid., tables 9 and 10). The Advisory Committee notes that some of the General Service posts represent conversions of posts previously funded from general temporary assistance (see ibid., para. 53).

37. For 2001, the Advisory Committee recommended approval of 49 additional posts for the Registry (A/55/643, paras. 36-53). The Registry has experienced vacancy rates of over 20 per cent for the first eight months of 2001 (A/56/497/Add.1, annex III). Upon enquiry, the Committee was informed that the vacancy rate for both September and October was 22 per cent. It appears to the Committee that the lower projections for November and December indicated in annex III to the budget may be overly optimistic in the light of past experience. For example, projected vacancy rates for Professional staff for the months of September to December 2000 were 21.8, 19.9, 18.4 and 13.5 per cent respectively (A/55/512 and Corr.1, annex III). The Committee was informed that the actual rates were 21.5, 21.2, 22.7 and 20.9 per cent. In this connection, the Committee notes also that although the Tribunal was able to recruit 92 staff in 2001, 51 staff members left the organization during the period (see A/56/497/Add.1, annex VIII.B, para. 16). Upon enquiry, the Committee was informed that a total of 170 personnel had been recruited under general temporary assistance for various services in the Tribunal in 2001.

38. The Advisory Committee exchanged views with the Registrar on delegation of authority. It was informed that the Registrar had authority for recruitment up to and including the D-1 level. Vacancies were normally advertised for 60 days; however, in accordance with paragraph 3 of section IV of General Assembly resolution 55/258 of 14 June 2001, unplanned vacancies were advertised for 30 days. **The Committee recommends that the 30-day procedure be followed for all senior Professional posts in the Tribunal (see also para. 29 above).**

39. An amount of $4,619,400 is requested under other staff costs for 2002-2003, comprising $2.5 million for general temporary assistance, $600,000 for overtime and $1,519,400 for contractual security services (A/56/497, para. 54). For 2000, $1,500,000 was requested for general temporary assistance and $300,000 for overtime. **Given the high vacancy rates in the Tribunal and the consequent need to resort to general temporary assistance funds and overtime, the Committee recommends acceptance of the estimate for other staff costs.**

40. An amount of $460,200 is requested for consultants and experts (ibid., para. 55). In 2001, $251,400 was requested for fees for 20 expert witnesses and the services of consultancy firms to assess the payroll and accounting system of the Tribunal and to review the court management system (A/55/512 and Corr.1, para. 56). The estimate for 2002-2003 is based on the assumption that, on average, two expert witnesses for the defence will be called for each accused person. It is anticipated that 21 accused will be on trial and 42 expert witnesses will be brought to Arusha during the biennium at a cost of $309,200. In addition, technology consultants will be required to design and implement the Tribunal's Intranet site ($20,000), to implement an electronic filing system for the Court Management Section ($25,000) and to study the impact of technology on the Tribunal ($25,000).

The latter is requested owing to the fact that there is a considerably increased use of automated products and equipment within the Tribunal, but there has been no subsequent reduction in manpower or in paperwork as a result of this new technology (A/56/497, para. 55 (d)). **The Advisory Committee welcomes this concern and expresses the hope that an expenditure of $25,000 will provide the results to resolve this apparent contradiction. The Committee recommends approval of the request of $460,200 for consultants and experts.**

41. An amount of $2,240,000 is requested for the Registry for travel, an increase of $1,053,000 over the appropriation for 2000-2001 (ibid., para. 56). The estimates include provision for travel of Registry staff ($1,200,000), travel of members of the Office of Internal Oversight Services for internal audit ($40,000), travel and allowances of witnesses for the prosecution and the defence ($900,000) and travel of staff for the medical evacuation of detainees ($100,000). The amounts requested for 2001 were $271,900 for travel of Registry staff, $18,900 for travel of members of the Office of Internal Oversight Services and $310,400 for travel and allowances of witnesses (A/55/512 and Corr.1, para. 57).

42. The Advisory Committee notes that the estimate for travel of witnesses is based on the assumption that approximately 600 witnesses for the prosecution and 315 for the defence will be brought to Arusha during the biennium (see A/56/497, para. 56 (b)). In this connection, the Committee notes from the financial performance report for the Tribunal for 2000 that the total number of witnesses projected to be called for that year for both the prosecution and the defence was 210; the actual number called was 61 (see A/56/500, annex). For 2001, the estimate was for 240 witnesses for the prosecution and 100 for the defence; the Committee was informed that as at 31 October 2001, 145 prosecution witnesses and 1 defence witness had been called (A/56/497/Add.1, annex VI). **On the basis of past experience, the estimate of a total of 915 witnesses to be called in 2002-2003 appears to the Committee to be rather high. Accordingly, the Committee recommends approval of an amount of $2,100,000 for travel of the Registry.**

43. Requirements of $20,535,400 are estimated for contractual services for the Registry in the biennium 2002-2003, an increase of $6,806,100 over the appropriation for 2000-2001 (A/56/497, para. 57). The bulk of the requirement is for defence counsel ($18,991,200), and it is based on the expectation that the number of accused persons will increase from 46 to 86 during the biennium. The Advisory Committee recalls that for 2001, $7,931,800 was requested, of which $6,365,600 was for defence counsel, and that as at 30 June 2000 there were 41 lead defence counsel and 19 co-counsel representing the defendants (see A/55/512 and Corr.1, para. 58). Upon enquiry, the Committee was informed that as at 30 September 2001, the expenditure for defence counsel amounted to $7,256,400 and that there were 46 lead counsel, 30 co-counsel and 3 detainees with duty counsel as at 31 October 2001.

44. The Advisory Committee enquired about the effectiveness of the changes that have been introduced to manage, monitor and control the legal aid system. The information provided orally was not sufficient for the Committee to form an opinion as to the adequacy of those measures. **The Committee is of the opinion that there is a need to ensure the effective operation of oversight mechanisms in the Tribunals. Accordingly, the Committee requests that in its next audit, the Board of Auditors carry out a special evaluation of the effectiveness of the means available, including staff and non-staff assets, to manage, monitor and control the expenses of the Tribunal's legal aid system.**

45. **For the reasons given in the foregoing paragraphs, the Advisory Committee recommends approval of $19,500,000 out of the amount of $20,535,400 requested for contractual services for the Registry.**

46. A total of $14,274,600 is requested for the Registry under general operating expenses, an increase of $3,376,900 over the appropriation for 2000-2001 (A/56/497, para. 59). The estimate includes an amount of $4,567,000 for rental of premises. It also includes resources for general maintenance of the facilities at Arusha and Kigali ($815,800); electricity, water and diesel fuel for generators for premises at Arusha and Kigali ($1,122,200); rental and operation of fixed-wing aircraft ($1,752,000); commercial communications ($2,821,900); miscellaneous services ($3,193,800); and bank charges, insurance costs and freight charges ($817,700).

47. Under miscellaneous services, estimates include witness support and protection costs, which are

estimated at $640,000. The information before the Advisory Committee indicates that performance in this area is consistently lower than projected (see para. 42 above). Also included is an estimated requirement of $773,500 to meet costs relating to the enforcement of sentences, including the maintenance and medical care of prisoners and inspection costs (ibid.). Upon request, the Committee was provided with breakdowns of both the estimated requirement of $773,500 (see annex II below) and the daily cost of maintaining prisoners (see annex III below). The Tribunal has signed agreements with the Governments of Mali and Benin to provide prison facilities, and negotiations are under way with four other countries.

48. The Advisory Committee recalls that, in his budget proposal for the Tribunal for 2001, the Secretary-General had requested an amount of $250,000 for enforcement of sentences in respect of the agreement with Mali and Benin, which was to include the cost of upgrading the prison facilities ($213,500) and maintenance of prisoners ($36,500) (see A/55/512 and Corr.1, para. 60 (g)). In its report, the Committee concluded that the enforcement of sentences was an important emerging issue that was being handled in an ad hoc manner without a carefully thought-out long-term plan of action (A/55/643, para. 63). It was the understanding of the Committee that the $250,000 was intended as an interim provision of assistance pending the resolution of the issues involved in the report to be submitted by the Secretary-General in accordance with paragraph 9 of General Assembly resolution 55/226.

49. The Advisory Committee was informed that out of the $213,500 authorized for upgrading prison facilities, only $43,300 was expended; following a ruling by the Office of Legal Affairs, the remainder has not been used by the Tribunal, nor have funds been requested for that purpose in the budget submission for 2002-2003. **The Committee is of the opinion that the Secretary-General should have immediately provided the General Assembly with the reasons for not using the funds it authorized. It remains a fact that the resources previously authorized by the Assembly have thus far not been used. An explanation as to the legal and financial reasons for this situation is therefore required and should be submitted, by February 2002, in the report called for by the Assembly in its resolution 55/226.**

50. Resources in the amount of $3,813,000 are requested under supplies and materials, an increase of $882,100 over the appropriation for 2000-2001 (A/56/497, paras. 60-61). The Advisory Committee notes that the increase is attributable largely to the anticipated increase in the level of staff of the Tribunal, the increase in the number of proceedings, the need for replacement parts and maintenance of equipment, an increase in the cost of petrol, oil and lubricants and an anticipated increase in the number of detainees.

51. An amount of $5,927,500, reflecting an increase of $621,900 over the appropriation for 2000-2001, is requested under furniture and equipment, including $500,000 for the development of a teleconferencing facility between the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia (ibid., para. 62).

52. The Advisory Committee notes that it is planned to replace 45 of the Tribunal's 175 vehicles (see ibid., paras. 59(e)(vi) and 62(e)) because of age and accidents. The Committee was informed that the vehicles being replaced were from the United Nations Assistance Mission for Rwanda and had become uneconomical to use. It was also informed that, because of the rugged terrain, the Tribunal required special vehicles, and that each vehicle would cost $20,700. **On the basis of the information provided orally by representatives of the Tribunal, the Committee recommends that greater effort be made to use the systems contract procurement procedure followed for peacekeeping operations to procure vehicles.**

53. A provision of $650,000 is requested for construction, alteration, improvements and major maintenance, reflecting a decrease of $1,331,400 over the appropriation for 2000-2001 (ibid., para. 63). The estimate covers improvements to premises in Arusha and Kigali ($450,000) and construction work at the United Nations Detention Facility ($200,000). In connection with the estimate for improvements to premises in Arusha and Kigali, the Committee was informed that the construction of the new archive facility in Arusha for the storage of evidence and documents was nearly complete. **The Committee welcomes this measure to protect the records of the work of the Tribunal. Furthermore, the Committee requests that, in the context of the next budget submission, a long-term plan be formulated for the disposition and preservation of the records of the Tribunal.**

54. Under grants and contributions, estimated requirements amount to $1,104,200, an increase of $748,200 over the appropriation for 2000-2001 (ibid., para. 64). The estimate includes the contributions of the Tribunal to the operations of the United Nations Medical Clinic at Kigali ($192,000) and the coordination of United Nations security measures ($912,200).

55. **Subject to a decision to be taken by the General Assembly on the amount of $773,500 (see paras. 47-49 above), the Advisory Committee recommends approval of the amounts requested under general operating expenses; supplies and materials; furniture and equipment; improvement of premises; and grants and contributions.**

56. A summary of new, reclassified and redeployed posts in the Registry is contained in table 11 of the budget report (A/56/497), and detailed information and justifications for the changes are contained in annex IV to the report (A/56/497/Add.1).

57. A new P-5 post is requested for the Chief of External Relations (A/56/497/Add.1, annex IV, para. 24). The Advisory Committee was informed that the proposal was based on a recommendation of the management review and that the Press and Public Affairs Unit would be part of the External Relations Section. Both would be headed by a P-5. The Chief of External Relations would also be involved in fund-raising activities. The Committee notes that there is also currently a position for spokesperson for the Tribunal. **For the reasons stated in paragraphs 24 and 25 of annex IV to the budget document, the Committee recommends approval of the request for a P-5 for Chief of External Relations and trusts that the Tribunal will strengthen its capacity to interact with print and broadcast media.** Upon enquiry, the Committee was informed of the intention to recruit a suitably qualified bilingual officer capable of dealing with national and international media, with a view to increasing public awareness of the work and accomplishments of the Tribunal. **The Committee also recommends approval of the post of bilingual secretary to provide support to the Office of the Registrar and the External Relations Section (ibid., para. 27; see also para. 59 below).**

58. A new P-4 post is requested for an investigator to provide capacity to trace the assets of suspects and accused persons detained under the Tribunal's authority (ibid., para. 26). Upon enquiry, the Advisory Committee was informed that the function of the post would also include the investigation of weaknesses related to the management of the defence counsel payment system. The Committee has requested an external audit assessment of the adequacy of the Tribunal's capacity in this area (see para. 44 above). **In the meantime, the Committee recommends approval of the request for the P-4 post.**

59. The redeployment of a P-3 protocol officer from Kigali to Arusha is proposed for the Press and Public Affairs Unit (ibid., para. 30). According to the Registrar, this change is being proposed to implement a recommendation of the management review that all borrowed posts in the Tribunal should be returned to their respective units. **In this connection, the Advisory Committee is of the opinion that where vacancies are high it may well be appropriate to be able to assign both personnel and posts with flexibility in order to meet priority requirements. Moreover, in the opinion of the Committee, the practical implications of not having a protocol officer in Kigali do not appear to have been adequately analysed. The Committee recognizes the importance of providing protocol services in Kigali. Accordingly, the Committee recommends a review of the matter. Should a determination be made that a protocol officer is required, the need should be met, in the first instance, through redeployment and/or general temporary assistance and reported in the financial and programme performance report referred to in paragraph 3 above. In any case, the Committee recommends approval of the proposed redeployment from Kigali to Arusha in view of the priority being given to the Press and Public Affairs Unit (see para. 57 above).**

60. A new P-2 post is requested for an associate administrative officer to administer the activities of the Tribunal's internship programme (ibid., para. 33). The Advisory Committee notes that interns perform a variety of functions for the Tribunal, including conducting research and providing assistance to trial judges and attorneys in the Office of the Prosecutor. **The Committee welcomes the information provided to it on the programme and requests that future reports include details, by unit, on how interns are used. The Committee recommends approval of the P-2 post for an associate administrative officer to manage the internship programme.**

61. In the Chambers Support Section, a new P-5 is requested for a senior legal adviser (ibid., paras. 35-36). The Section currently has two P-5 posts. The additional P-5 post is requested to ensure that each of the three trial chambers has an experienced senior lawyer. **The Advisory Committee recommends approval of the request.**

62. A new P-3 post is requested for a judgement coordinator in the Chambers Support Section, because the concurrent trials of many defendants are likely to increase the demands on judgement coordinating (ibid., paras. 37-38). The Advisory Committee notes that at present there is a trial chamber coordinator (P-3) for each trial chamber who supervises a team of associate legal officers (P-2). **It would appear that a coordinator post is being requested to fulfil the function of coordinating the coordinators of the three trial chambers. Furthermore, the request for a P-3 post seems to be premature, as it assumes that the present complement of coordinators may not be adequate in the near future. The Committee is of the view that in a situation such as this, a request for additional posts should be based on actual experience of workload and demand. Accordingly, the Committee does not recommend approval of the request for the P-3 post.**

63. The current establishment of the Appeals Chamber Support Unit at The Hague is one P-4, one P-3, four P-2 and three General Service staff, or a total of nine posts. Four additional posts are requested (1 P-3, 2 P-2 and 1 General Service) owing to the volume of cases under consideration by the Appeals Chamber and the arrival of two additional judges (ibid., para. 41; see also para. 65 below). The Advisory Committee observes that it is doubtful whether there has been enough experience to determine the additional level of support that is required. **Accordingly, the Committee does not recommend approval of the request for two new P-2 posts and one General Service (Other level) post to support the new appeals judges at this stage, especially in view of the fact that when the decision was taken to appoint the additional judges, three posts (2 P-2/1 and 1 General Service) were requested for them (A/55/512 and Corr.1, annex IX, para. 7 and A/55/512/Add.1). Those three posts were approved by the General Assembly pursuant to the recommendation of the Committee. The Committee recommends approval of the P-3 post to create a second legal drafting section to allow the Unit to handle two simultaneous appeals on their merits. If the recommendations of the Committee are approved by the Assembly, the total staff of the Unit would be 10 posts rather than 13 as proposed; however, the workload situation should be monitored and, as appropriate, reported to the Assembly (see para. 3 above).**

64. A P-2 post is requested in the Appeals Support Unit in Arusha for an associate legal/appeals officer to assist the appeals officer with regard to drafting submissions to chambers under rule 33B of the Statute of the Tribunal (A/56/497/Add.1, annex IV, paras. 46-49). The individual would also act as courtroom officer and perform other functions such as overseeing the processing of interlocutory appeals and assisting in the reading and review of all judicial documents filed and processed.

65. The present staffing establishment comprises one P-4, one P-2 and one General Service staff. The Advisory Committee notes from the financial performance report of the Tribunal for 2000 (see A/56/500, annex) that 7 appeals were projected for the Chambers and 15 were implemented; for 2001, the Committee was informed that of the 40 projected, 8 were under way as at 31 October; and 30 are projected for 2002-2003. For the Office of the Prosecutor, of the 16 appeals projected for 2000, 7 were implemented; for 2001, 28 were projected and 8 were under way as at 31 October; and 12 are projected for 2002-2003. **Although the above trend does not definitively justify the establishment of a new P-2 post at this stage, the Committee nevertheless recommends that the P-2 post be granted in view of the current staffing establishment, the time it takes to recruit and the increased pace of work of the Chambers.**

66. **The Advisory Committee recommends approval of the request for a new General Service post for an audio-visual archivist and the conversion to established status of the five General Service posts for document assistants for the Audio-Visual Desk (A/56/497/Add.1, annex IV, paras. 51-52).**

Witnesses and Victims Support Sections

67. The Advisory Committee was informed that the current staffing establishment of the Witnesses and Victims Support Sections for the prosecution and the defence totalled 41 posts. For the defence, there are currently 8 posts in Arusha, 4 in Kigali and 3 for safe houses, for a total of 15. For the prosecution, current staffing is 11 posts in Arusha, 12 in Kigali and 3 for safe houses, for a total of 26. The budget proposal includes requests for the reclassification of a P-4 post to the P-5 level and a total of 34 new posts for the sections (ibid., paras. 56-78). The Committee notes that this would represent an increase of approximately 82 per cent in total staffing of the sections. Upon request, the Committee was provided with the current vacancy rates for each of the units of the sections as follows: the rates for the defence as at 31 October were 14.3 per cent in Arusha and 50 per cent in Kigali, and the rates for the prosecution were 7.1 per cent in Arusha and 41.7 per cent in Kigali.

68. A total of 18 new posts are requested for the Witnesses and Victims Support Section for the prosecution, as follows:

(a) 12 new posts in Arusha: 1 P-2 associate witness support officer, 1 General Service (Other level) security officer and 10 General Service (Local level) posts (1 security officer, 2 drivers, 3 cooks and 4 cleaners);

(b) 6 new posts in Kigali: 1 General Service (Other level) security officer and 5 General Service (Local level) posts (1 housekeeper, 2 cooks, 1 driver and 1 witness support assistant).

69. A total of 16 new posts are requested for the Witnesses and Victims Support Section for the defence, as follows:

(a) 12 new posts in Arusha: 3 General Service (Other level) posts (2 witness support assistants and 1 security officer) and 9 General Service (Local level) posts (2 security assistants, 2 drivers, 2 cooks and 3 cleaners);

(b) 4 new posts in Kigali: 2 General Service (Other level) security officers and 2 General Service (Local level) drivers.

70. The Advisory Committee notes that a restructuring is proposed that would combine the two separate units for the prosecution and the defence into a single section in early 2002 under one chief at the P-5 level (see ibid., paras. 70-71). A request is therefore made to reclassify the head of the Prosecution Section from P-4 to P-5. The Committee recalls that the two services were previously combined. In 2000, the Registrar initiated a restructuring:

> "not only because of the vastly expanded workload of the Section, but also with a view to safeguarding the confidentiality of the individual witnesses and ensuring that the identity and security of prosecution and defence witnesses was not compromised. As a result the Witnesses and Victims Support Section has been reconstituted into two separate sections, one dealing exclusively with prosecution witnesses and related issues, and the other dealing solely with the defence witnesses and related issues."

(A/55/512 and Corr.1, annex II, para. 79). The head of the original combined service at the P-4 level became Chief of the Witnesses and Victims Support Section for the defence, and a P-4 post was requested for Chief of the Witnesses and Victims Support Section for the prosecution. **The Committee calls into question the rationale for the proposed restructuring and does not support the proposed reclassification.**

71. **The Advisory Committee observes that the statistics provided in the budget report (A/56/497/Add.1, annex IV, para. 59) do not justify the expansion of the Witnesses and Victims Support Sections to the extent proposed in the estimate.** The fact that 150 prosecution witnesses were brought to Arusha for testimony between January 1997 and August 2000 implies an average of no more that 50 per year. For 2000, the total number of prosecution and defence witnesses supported by the Witnesses and Victims Support Sections was 61 out of a projected 210 (A/56/500, annex). According to the updated workload indicators provided to the Committee, for 2001, out of an estimated 240 witnesses, the Witnesses and Victims Support Section for the prosecution had supported 145 as at 31 October; the Witnesses and Victims Support Section for the defence had supported only 1 out of a projected 100.

72. **In view of the workload trends in this area, the Advisory Committee questions the extent of the requested increases in terms of posts and other budgetary proposals for witness and victim support.**

Accordingly, in the paragraphs below the Committee recommends approval of a total of 23 posts out of the 34 requested. The Committee further recommends that the workload trend be monitored and, if it is determined that more support is required, it should be met from general temporary assistance and reported in the context of the financial and programme performance report referred to in paragraph 3 above.

73. A P-2 post is requested to supervise witness support assistants, translators and interpreters in the Witnesses and Victims Support Section for the prosecution in Arusha (A/56/497/Add.1, annex IV, para. 60). **In line with its comments in the foregoing paragraphs, the Advisory Committee recommends that an appropriate official from the present staffing establishment, including General Service and other levels of staff, be designated as the supervisor of witness support assistants.**

74. Two General Service posts (1 Other level and 1 Local level) are requested for security officers for the Witnesses and Victims Support Section for the prosecution in Arusha (ibid., para. 61). **The Advisory Committee recommends approval of this request.**

75. **With respect to the two Local level posts requested for drivers for the Witnesses and Victims Support Section for the prosecution in Arusha (ibid., para. 62), the Advisory Committee recommends approval of one position, since it is not certain whether there will indeed be six trials running simultaneously.**

76. **The Advisory Committee recommends approval of two cooks to service two prosecution safe houses in Arusha rather than the three requested, and four cleaners (ibid., paras. 63-64).**

77. **For the six additional General Service posts requested for the Witnesses and Victims Support Section for the prosecution in Kigali (ibid., paras. 65-67), the Advisory Committee recommends approval of one new General Service (Other level) post for a security officer and two Local level posts for the functions mentioned in paragraphs 66 and 67, for a total of three new posts.**

78. For the Witnesses and Victims Support Section for the defence, three General Service (Other level) and nine General Service (Local level) posts are proposed for Arusha, and two General Service (Other level) and two General Service (Local level) posts are proposed for Kigali (ibid., paras. 68-78). **In view of its comments above and its recommendations for the Witnesses and Victims Support Section for the prosecution, the Advisory Committee recommends approval of one General Service (Other level) post and five General Service (Local level) posts for the Witnesses and Victims Support Section for the defence in Arusha. For Kigali, the Committee recommends approval of the four posts requested.**

79. **The Advisory Committee recommends approval of the request for an additional General Service (Local level) post for an administrative assistant to supplement the current establishment of one P-4, one P-3, one General Service (Principal level), two General Service (Other level) and one General Service (Local level) in the Defence Counsel Management Section (ibid., para. 81).**

80. The current staffing establishment of the Legal Library and Reference Unit comprises one P-3, one P-2, one General Service (Other level) and two General Service (Local level) posts. **The Advisory Committee recommends approval of the request for two additional P-2 posts for a reference and technical services librarian and an indexer/cataloguer. The Committee agrees with the proposal to reclassify the Chief Librarian from P-3 to P-4 (ibid., paras. 85-87).**

81. The Advisory Committee notes that the former Division of Administration has been reorganized and renamed the Administrative and Support Services Division pursuant to a recommendation of the management review team. **The Committee recommends approval of the request for a P-4 stress manager to develop and implement a counselling and support programme aimed at reducing stress levels of Tribunal staff and dependents (ibid., para. 91). The Committee is not convinced, however, of the need for a P-4 post for an administrative liaison officer to prevent the recurrence of a "collision of cultures" between the United Nations Secretariat and the legal profession found in the Office of the Prosecutor and the Chambers (ibid., para. 92). It is the opinion of the Committee that the Chambers, the Office of the Prosecutor and the Registry have to perform their functions in accordance with the provisions of the Statute of the Tribunal subject to such guidelines as may, from time to time, be given by the General Assembly in the context of the**

review and approval of the expenses of the three organs of the Tribunal.

82. **The Advisory Committee recommends approval of the request for two new General Service (Local level) posts for a laboratory technician to maintain the new laboratory to be established within the Health Services Unit at Arusha and a nurse to provide dispensary services in Kigali (ibid., paras. 95-96).**

83. **The Advisory Committee recommends approval of the General Service (Local level) post requested for a job classification assistant in the Personnel Administration Unit (ibid., para. 102).**

84. In the Training, Staff Welfare and Counselling Unit, two new General Service (Local level) posts are requested for training clerks in the areas of language training and pre-recruitment testing (ibid., para. 106). **The Committee recommends acceptance of this request.**

85. The Advisory Committee notes that a total of seven new posts are requested for the Accounts, Payments, Payroll and Cashier Units, the Claims Unit of the General Services Section and the Transportation Services Sections as follows: one General Service (Local level) accounts clerk; two General Service (Other level) finance assistants; one General Service (Other level) finance assistant; one General Service (Local level) finance clerk; one General Service (Other level) claims assistant; and a General Service (Local level) storekeeper (ibid., paras. 112-129). **In view of the study to be undertaken on the impact of technology on Tribunal operations, for which $25,000 has been requested (see para. 40 above), the Committee recommends that these functions be accommodated through temporary redeployment using vacant positions and general temporary assistance pending the conclusion of the study. The results should be reported in the context of the financial and programme performance report.**

86. Upon enquiry, the Advisory Committee was informed that the payroll function for international personnel had not been transferred to Arusha. **In this connection, the Committee reiterates its view that the Tribunal should have the appropriate delegated authority to carry out this function as soon as possible (see A/55/643, para. 15).**

87. **In view of its comments in paragraph 85 above, the Advisory Committee does not recommend approval of the reclassification from the P-2 to the P-3 level of the post of the chief of the Kigali Unit of the Electronic Data-Processing/ Management Information Systems Section (A/56/497/Add.1, annex IV, para. 132).**

88. **The Advisory Committee recommends approval of the proposed changes in staffing in the Procurement Unit as follows: one new General Service (Local level) post for a procurement assistant in the Kigali Unit; the reclassification of a P-2 procurement officer post in Arusha to General Service (Principal level); and the redeployment of one P-2 post from the Office of the Deputy Chief of Administration to the Procurement Unit in Kigali (ibid., paras. 135-136).**

89. The current staffing level of the United Nations Detention Facility is two P-3 and 18 General Service (Local level) posts. Requests are made for nine new General Service (Local level) posts for five escorts/custodians, three cleaners and one cook; the reclassification of the post of Commanding Officer from P-3 to P-4; and the redeployment of one Security Service officer and six General Service (Local level) security officers from the Security Section to the Detention Facility (ibid., paras. 139-142).

90. The Advisory Committee notes that in 2000 the number of projected arrests was 20, whereas 5 were arrested (see A/56/500, annex). While 12 arrests were projected for 2001, the Committee was informed that as of 31 October, 8 arrests had been made. For 2002-2003, 20 arrests are projected. According to the information provided to the Committee, the current number of detainees/prisoners is 51, and it is estimated that the number will reach 60 by the end of the year (A/56/497/Add.1, annex IV, para. 138).

91. **The Advisory Committee recommends approval of the proposed staffing changes for the United Nations Detention Facility.**

92. The current staffing level of the Language and Meeting Services Section comprises 75 posts. Requests are made for 10 new language posts as follows: 4 new P-2 level posts for interpreters of Kinyarwanda; 3 General Service (Other level) posts (2 bilingual secretaries and 1 bilingual reference assistant) in the Text-processing, Proof-reading, Terminology and Reference Unit; and 1 P-4 reviser and 2 P-3 translators/interpreters for language support to the Appeals Chamber Unit at The Hague.

93. The four new P-2 posts for interpreters are requested to meet the interpretation requirements of the

six benches (ibid., para. 146). **The Advisory Committee recommends approval of the request. Furthermore, the Committee recommends that a review be made of the cost-effectiveness of using translation capacities in the United Nations system by remote means.**

94. With regard to the request for three General Service (Other level) posts for two bilingual secretaries and one bilingual reference assistant in the Text-processing, Proof-reading, Terminology and Reference Unit, the Advisory Committee notes that there is currently only one text processor working in the Kinyarwanda Unit (ibid., paras. 147-150). The Advisory Committee recognizes the need for a reference assistant to handle the reference requirements of the 43 translators/interpreters and revisers as well as the need to have an appropriate ratio of support staff to substantive officers. **For these reasons, the Committee recommends approval of the request.**

95. The current staffing establishment for language support to the Appeals Chamber at The Hague comprises one P-4 reviser, one P-3 interpreter/translator and one General Service (Other level) bilingual secretary (ibid., paras. 152-155). **The Advisory Committee recommends approval of the request for three additional posts: one P-4 for a reviser, one P-3 for an English-French translator/interpreter and one P-3 for a French-English translator/interpreter.**

96. **The Advisory Committee recommends that the General Service (Local level) post requested for a courtroom clerk in the Communications Section be approved (ibid., para. 162).**

Conclusions and recommendations

97. **On the basis of the recommendations and observations indicated in the foregoing paragraphs, the Advisory Committee recommends that the General Assembly approve the appropriation of $196,444,800 gross ($177,151,400 net) for the operations of the International Criminal Tribunal for Rwanda for the biennium 2002-2003. This would represent a reduction of $2,079,000 gross ($1,863,900 net) from the estimate of $198,523,800 gross ($179,015,300 net) indicated in table 3 of the proposed budget (A/56/497).**

98. **The post reductions recommended by the Committee in the present report are summarized in the following table:**

Summary of new posts not recommended by the Advisory Committee

Organizational unit	*Posts*	*Paragraph No.*
Registry		
Chambers Support Section	1 P-3	62
Appeals Chamber Support Unit, The Hague	2 P-2 1 General Service (OL)	63
Prosecution Witnesses and Victims Support Section, Arusha	1 P-2 2 General Service (LL)	73 75 and 76
Prosecution Witnesses and Victims Support Section, Kigali	3 General Service (LL)	77
Defence Witnesses and Victims Support Section, Arusha	2 General Service (OL) 4 General Service (LL)	78 78
Office of the Chief of Administration	1 P-4	81
Accounts Unit	1 General Service (LL)	85
Payments Unit	2 General Service (OL)	85
Payroll Unit	1 General Service (OL)	85
Cashiers Unit	1 General Service (LL)	85
Claims Unit	1 General Service (OL)	85
Transport Section	1 General Service (LL)	85

Total: 24 posts (5 Professional and 19 General Service) are not recommended for approval for the biennium 2002-2003

Summary of reclassifications not recommended by the Advisory Committee

Organizational unit	*Posts*	*Paragraph No.*
Office of the Prosecutor		
Investigation Division	1 P-4 to P-5	32
Registry		
Witnesses and Victims Support Section	1 P-4 to P-5	70
Electronic Data-Processing/ Management Information Systems	1 P-2 to P-3	87

Annex I

Resources included in the budget to implement the recommendations of the management review

1. Resources included in the budget to implement the recommendations of the management review include:

(a) New P-5 post of Chief of External Relations in Office of the Registrar

(b) New P-4 post of Administrative Officer in Office of the Chief of Administration

(c) New Other level post in Office of the Registrar

(d) New post of P-4 Stress Manager in the Office of the Chief of Administration

(e) New Local level post of Job Classifications Assistant

(f) Borrowed posts to be returned immediately and therefore new posts or redeployment of posts in budget that affect this recommendation are as follows:

(i) Redeploy P-3 Protocol Officers from Kigali to Arusha;

(ii) New post (Local level) Administrative Assistant in the Defence Counsel Management Section;

(iii) 2 new posts (Other level) of finance assistants in Finance Payments Unit;

(iv) New post (Other level) of finance assistant in the Finance Payroll Unit;

(v) New post (Other level) of Claims Assistant in the General Services Section.

2. The following are also recommendations made by the management review for consideration:

(a) Change name of Division of Administration to Administrative and Support Services Division;

(b) Electronic data-processing and communications to be integrated;

(c) Detention Facility to be separated from the Security and Safety Section;

(d) Procurement services to be separated from general services;

(e) Health Services Unit to report directly to the Chief of Administration;

(f) Language and Conference Services to be changed to Language and Meeting Services.

Annex II

Breakdown of the estimate for enforcement of sentences for 2002-2003

(In United States dollars)

Item	*Description*	*Number of convicts*	*United Nations staff*	*Number of flights*	*Cost of flight*	*Airline cost*	*Daily maintenance*	*Yearly cost*	*Cost of medicine*		*Total cost*
									Monthly	*Yearly*	
2002											
	Maintenance cost	15					20	108 100			108 100
	Medical costs	9							1 000	108 000	104 000
	Witness costs	4	2	3	2 800	50 000					50 000
	United Nations inspection costs		2	9	2 800	47 900					47 900
	Subtotal										**310 000**
2003											
	Maintenance cost	23					20	167 900			167 900
	Medical costs	13							1 000	156 000	156 000
	Witness costs	8	2	3	2 800	84 000					84 000
	United Nations inspection costs		2	10	2 800	55 600					55 600
	Subtotal										**463 500**
	Total										**773 500**

Annex III

Breakdown of daily maintenance costs for prisoners

(In United States dollars)

Item	*Cost per day*
Telephone charges	0.50
Daily meal supplement	6.00
Daily supplement for toiletries	2.00
Subscriptions	0.50
Medicine	1.50
Daily maintenance (bedding, clothing, cutlery, cells, medical examinations)	9.50
Total	**20.00**